

SB0775



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB0775

Introduced 2/18/2005, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

410 ILCS 535/25.1

from Ch. 111 1/2, par. 73-25.1

Amends the Vital Records Act. Provides that when the death of a child occurs within 90 days of that child's live birth, the mother listed on the birth certificate of that child may request the issuance of a copy of a certificate of live birth from the State Registrar. Provides that the request shall comply with specific requirements, shall indicate the requestor's relationship to the child, and shall be made not later than 6 months from the date of the death of the child.

LRB094 10873 RXD 41410 b

A BILL FOR

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Vital Records Act is amended by changing
5 Section 25.1 as follows:

6 (410 ILCS 535/25.1) (from Ch. 111 1/2, par. 73-25.1)

7 Sec. 25.1. (a) When the State Registrar of Vital Records
8 receives or prepares a death certificate the Registrar shall
9 make an appropriate notation in the birth certificate record of
10 that person that the person is deceased. The Registrar shall
11 also notify the appropriate municipal or county custodian of
12 such birth record that the person is deceased, and such
13 custodian shall likewise make an appropriate notation in its
14 records.

15 (b) In response to any inquiry, the Registrar or a
16 custodian shall not provide a copy of a birth certificate or
17 information concerning the birth record of any deceased person
18 except as provided in this subsection (b) or as otherwise
19 provided in this Act or as approved by the Department. When a
20 copy of the birth certificate of a deceased person is
21 requested, the Registrar or custodian shall require the person
22 making the request to complete an information form, which shall
23 be developed and furnished by the Department and shall include,
24 at a minimum, the name, address, telephone number, social
25 security number and driver's license number of the person
26 making the request. Before furnishing the copy, the custodian
27 shall prominently stamp on the copy the word "DECEASED" and
28 write or stamp on the copy the date of death of the deceased
29 person. The custodian shall retain the information form
30 completed by the person making the request, and note on the
31 birth certificate record that such a request was made. The
32 custodian shall make the information form available to the

1 Department of State Police or any local law enforcement agency
2 upon request. A city or county custodian shall promptly submit
3 copies of all completed forms to the Registrar.

4 (c) The Registrar shall furnish, no later than 60 days
5 after receipt of a form used to request a birth certificate
6 record of a deceased person, a copy of the form and a copy of
7 the corresponding birth certificate record to the Illinois
8 Department of Public Aid and the Department of Human Services.
9 The Illinois Department of Public Aid and the Department of
10 Human Services shall, upon receipt of such information, check
11 their records to ensure that no claim for public assistance
12 under the Illinois Public Aid Code is being made either by a
13 person purporting to be the deceased person or by any person on
14 behalf of the deceased person.

15 (d) Notwithstanding the requirements of subsection (b),
16 when the death of a child occurs within 90 days of that child's
17 live birth, the mother listed on the birth certificate of that
18 child may request the issuance of a copy of a certificate of
19 live birth from the State Registrar. Such request shall be made
20 in accordance with subsection (b), shall indicate the
21 requestor's relationship to the child, and shall be made not
22 later than 6 months from the date of the death of the child.
23 Before furnishing the copy, the custodian shall prominently
24 stamp the following upon the copy: "NOT VALID FOR
25 IDENTIFICATION". A copy issued under this subsection (d) shall
26 not bear the word "DECEASED" or include the date of death as
27 required in subsection (b). Except as provided herein, the
28 Registrar shall conform to all requirements of this Act in
29 issuing copies of certificates under this subsection (d).

30 (Source: P.A. 89-507, eff. 7-1-97.)